

REMARKS

The Applicants would like to thank Examiner Woods for taking the time to discuss the Office Communication and proposed claim amendments by telephone. The time and attention devoted to this matter is very much appreciated.

The Non-final Office Action, mailed November 16, 2007, considered claims 1–35. Claims 1–13 and 18–30 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Lewallen, U.S. Patent No. 6,675,230 (filed Aug. 22, 2000) (hereinafter Lewallen), (in view of SVG specification version 1.1 (hereinafter "SVG1"), and further in view of Eleftheriadis et al., U.S. Patent No. 6,092,107 (filed Apr. 7, 1998) (hereinafter Eleftheriadis), and yet further in view of Steele, et al., U.S. Patent Pub. No. 2004/0110490 (filed Mar. 21, 2002) (hereinafter Steele). Claims 28–29 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Lewallen, Eleftheriadis, Steele and SVG1, and further in view of Kim et al., U.S. Patent Pub. No. 2003/0120823 (filed Aug. 29, 2002) (hereinafter Kim) and X3D Specification, (hereinafter "X3D").¹

By this response, claim 1 is amended such that claims 1–35 remain pending.² Claim 1 is the only independent claim which remains at issue. Support for the amendments may be found within Specification pp. 28–29.³

As reflected in the claims, the present invention is directed generally toward efficiently enabling user programs to interact, using a markup language, with a scene graph structure without requiring specific knowledge of the details of a graphics API layer while still allowing programming languages access to the graphics API.

Claim 1 recites, for instance, in combination with all the elements of the claim, a method for composing vector graphics. The method includes an application programming interface (API) receiving function calls for performing vector graphics. The function calls are defined by

¹ Although the prior art status of the cited art is not being challenged at this time, Applicants reserve the right to challenge the prior art status of the cited art at any appropriate time, should it arise. Accordingly, any arguments and amendments made herein should not be construed as acquiescing to any prior art status of the cited art.

² The amendments and remarks presented herein are consistent with the information presented by telephone by patent attorney John Bacoch (reg. no. 59,890) and attorney Thomas Bonacci.

³ However, it should be noted that the present invention and claims as recited take support from the entire Specification. As such, no particular part of the Specification should be considered separately from the entirety of the Specification.

a markup language and an object model. The markup language provides a string format and an object notation for describing a resource, and the markup language comprises an element class, the element class comprising a shape class, an image class, a video class, and a canvas class. The object model comprises a base visual object which is a container for graphical content, a container visual object which is a visual object that does not directly contain graphical content but contains one or more child drawing visual objects, and drawing visual objects which are visual objects that can contain graphical content and which comprise child objects which are organized in a zero-based, z-order space. The method also includes a parser/translator which is interpreting each of string format calls and object notation calls within the markup language, accessing a type converter, the type converter configured to convert string format calls to visual API objects, adding elements to an element tree within an element and layout system, and communicating resource-level data to a visual API. The method also includes an element and layout system translating data comprising an element tree into calls to the visual API. The visual API accepts input from the parser translator, from the element and layout system, and directly from non-markup programming languages, interfaces with a scene graph, is configured to create scene graph objects, and provides access to a compositing and animation engine. Also, a compositing and animation engine interfaces with the visual API, and the compositing and animation engine manages the compositing, animating, and rendering of the scene graph.

Claim 1 was rejected under 35 U.S.C. § 103 as being unpatentable in view of Lewallen, SVG, Eleftheriadis, and Steele. By this response, claim 1 is amended and the Applicants submit that Lewallen, SVG, Eleftheriadis, and Steele, separately as well as in combination, fail to teach or suggest each and every element of the claim as now recited.

In particular, Lewallen, SVG, Eleftheriadis, and Steele, separately as well as in combination, fail to teach or suggest an application programming interface (API) receiving a plurality of function calls for composing vector graphics, the function calls comprising calls defined by a markup language and an object model. Further, Lewallen, SVG, Eleftheriadis, and Steele, separately as well as in combination, fail to teach or suggest the markup language providing a string format and an object notation for describing a resource, and the markup language comprising an element class, the element class comprising a shape class, an image class, a video class, and a canvas class, and the object model comprising a base visual object which is a container for graphical content, a container visual object which is a visual object that

does not directly contain graphical content but contains one or more child drawing visual objects, and drawing visual objects which are visual objects that can contain graphical content and which comprise child objects which are organized in a zero-based, z-order space.

Because, as noted above, Lewallen, SVG, Eleftheriadis, and Steele, separately as well as in combination, fail to teach or suggest each and every element of the claim as now recited, a rejection under 35 U.S.C. § 103 would be improper and should be withdrawn. Accordingly, the Applicants respectfully request favorable reconsideration of claim 1.

In view of the foregoing, Applicants respectfully submit that the rejections to the other claims, each of which are dependent upon claim 1, are now moot and do not, therefore, need to be addressed individually at this time. It will be appreciated, however, that this should not be construed as Applicants acquiescing to any of the purported teachings or assertions made in the last action regarding the cited art or the pending application, including any official notice. Instead, Applicants reserve the right to challenge any of the purported teachings or assertions made in the last action at any appropriate time in the future, should the need arise. Furthermore, to the extent that the Examiner has relied on any Official Notice, explicitly or implicitly, Applicants specifically request that the Examiner provide references supporting the teachings officially noticed, as well as the required motivation or suggestion to combine the relied upon notice with the other art of record.

In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney at 801-533-9800.

Dated this 15th day of February, 2008.

Respectfully submitted,



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